

REMARKS

The Office Action mailed on July 12, 2006 has been received and its contents carefully considered. An RCE is being filed concurrently to relieve the application of its finally-rejected status and thereby permit further prosecution.

The present Amendment revises claims 1, 11 and 21, which are the independent claims pending in this application

The independent claims (along with various dependent claims) have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hong et al (US 5,532,833) in view of Nakatani et al (US 6,118,924). These references will hereafter be called simply "Hong" and "Nakatani" for the sake of convenient discussion. It is respectfully submitted that the inventions defined by the current formulations of claims 1, 11 and 21 are patentable over the cited references for at least the following reasons.

Claim 1 recites a method for capturing video data into a computer system. The method comprises the following steps: (a) reading the video data; (b) detecting the video data to estimate scene changes so that a unitary scene will not be split into two different files; (c) estimating a file size of the video data; (d) **splitting the video data into a plurality of video files** according to a scene change if the video data has the scene change, and according to a maximum file size if the video data does not have the scene change; and (e) storing the plurality of video files.

In contrast, Hong discloses a method for storing and managing motion video image information for retrieving scenes of interest in a short time from a many-hour motion video image 20 stored in a recording medium LD such as a laser disk. The motion video image management system includes a motion video image reproducing means 21,

an automatic scene change detector 25, and a retrieval information generating portion 26. The retrieval information generating portion 26 includes a representative frame creating means 27 to determine a representative frame (rf) 18 for the respective frame sequences 14. Representative frame video images 18 are accumulated in a representative frame video image file 31, and a logical frame structure 10 is accumulated in a logical frame structure data file 33. Retrieval of the motion video image is performed by extracting frame sequences using the attribute data and the logical frame structure as retrieval keys for the data file of the motion video image information, and confirming the contents using a still video image rf of the representative frames. (See Hong's abstract; and the passages at column 4, lines 18-21, 49-56 and 62-65).

It is noted that only Hong's representative frames (rf) 18, representing the corresponding frame sequences 14, are recorded and accumulated in Hong's representative frame image file 31 for retrieving scenes of interest from the motion video image 20 stored in the recording medium LD. (See column 4, lines 62-63 and the abstract) However, other frames of Hong's frame sequences 14 are not recorded in the representative frame file 31. There is no disclosure or suggestion in the cited reference of **splitting the video data into a plurality of video files**, as recited in claim 1.

Further, Hong's file structure employs logical frame structure data files for storing **attribute data** (retrieval items of the individual frame sequences), and not for storing the frames of the frame sequences (see Hong's Figure 3, and column 4, lines 56-61. Thus, the Hong reference fails to disclose or suggest storing a plurality of video files that are split from the video data in accordance claim 1.

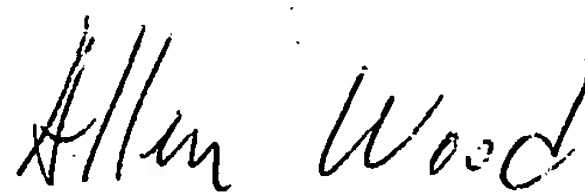
The Office Action acknowledges that Hong fails to disclose determining the file size of the video data, but alleges that one of the ordinary skill in the art would use the teachings of Nakatani to determine the size of the video data to establish the recording space so as to prevent overflow. Despite this allegation, it is respectfully submitted that Nakatani fails to overcome the above-noted deficiencies of Hong. Accordingly, it is submitted that independent claim 1 is patentable over the cited references. Therefore, the rejection should be withdrawn.

Turning next to independent claims 11 and 21, it is respectfully submitted that they are patentable over the references for reasons along the lines discussed above with respect to claim 1.

The remaining claims depend from independent claims and recite additional limitations to further define the invention, so they are patentable along with their independent claims and need not be further discussed.

Based on the above, it is submitted that this application is now in condition for allowance. Reconsideration of the application is therefore respectfully requested.

Respectfully submitted,



Allen Wood
(Registration No. 28,134)
Customer number 23995
Rabin & Berdo, P.C.
Telephone: (202) 326-0222
Facsimile: (202) 408-0924